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Committee Recommends 13.8% Tuition Hikes

By Janice M. Bellucci

Tuition at USD Law School will be increased 13.8 percent next year if the university's Board of Trustees follows the recent recommendations of a university-wide budget committee. A 13.8 percent increase would mean full-time day students would pay \$5,670 and part-time evening students \$4,000 for tuition for the 1982-83 school year.

Summer school rates would also be increased to \$200 a unit for J.D. candidates and \$205 a

unit for L.L.M. students. Graduate law students will see their tuition raised to \$5,210 if the recommendations are approved.

This is the largest tuition hike in the law school since 1980. Inflation and a lack of growth in the university's enrollment are blamed by the committee as two primary factors for the needed tuition hikes.

Committee members and university administrators expressed great concern about how the tuition increase would affect students, particularly in this time of

changing financial support for education from the federal government.

"No one yet knows what will happen in Washington, D.C. regarding students' financial aid," USD Provost Sister Sally Furay and budget committee co-chair said in a Nov. 23 public budget meeting.

Furay and co-chair Jack Boyce (also vice president of financial affairs for USD) stressed the budget the committee is recommending also includes \$655,854 in increased institutional financial aid. For law students, that means another \$35,000 in scholarships and grants and an additional \$70,000 in school loans and workstudy funds.

Furay admits, however, that the increased aid will not cover a high proportion of the university's 4,800 students.

"I think some students are going to have a terrible time financially," Dean Krantz told students gathered in The Writs at

9 a.m. on Nov. 19 in a hastily SBA-arranged forum that was sparsely attended. "It appears federal student loans are not going to be enough to cover tuition next year. I don't know how that problem can be answered individually."

Krantz sees some positive aspects to the tuition increases. He was quick to point out that higher tuitions could mean higher faculty salaries, needed to attract new faculty and to encourage to stay those already teaching at USD. He also is hoping for new professional and non-professional staff members for the law library, the equivalent of one new first-year legal writing instructor, and a full-time head for the graduate tax program.

"Those recommendations for additional personnel went in along with the tuition suggestions," Krantz said.

The law school dean said that despite USD's expected tuition

increases, tuition at the law school will still be lower than most other area law schools. He said that nationwide law school tuition was increased 14 percent last year.

According to Professor Morris, USD has one of the lowest averages for faculty salaries in the nation. The average faculty salary here is \$32,000 and the highest is about \$50,000, according to Krantz.

The dean said the committee's proposed budget will give the law school room to grow. In addition to projected personnel increases, Krantz said the law school plans to renovate classrooms 2A and 2B to improve sound conditions.

The university cabinet is expected to vote soon on the committee's recommendations. The ultimate budget vote, by the Board of Trustees, is expected to take place in mid-December.

Five Year Tuition Analysis

Year	Full Time	Part Time	Per Unit	% Increase over previous year per unit
1982-83	\$5,670	\$4,000	\$195	13.8
1981-82	\$4,980	\$3,520	\$175	12.9
1980-81	\$4,500	\$3,180	\$155	14.8
1979-80	\$3,980	\$2,800	\$135	8.0
1978-79	\$3,650	\$2,575	\$125	13.6

The Woolsack

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Law Library Director Blames Poor Service on 3 Shortages

By Maureen McNair

Kratter Law Library Director Joseph S. Ciesielski says he has only three problems: insufficient staff, insufficient funding, and insufficient space. Library patrons, on the other hand, have only one problem: poor service. "When I'm helping a student and I look on the shelves and can't find something, I send the student to the County Law Library," says Ciesielski.

Many students go and don't return.

Students who do use the library can find on almost any morning dozens of books scattered on desks and tables and in the lounge. At the reference desk in lieu of professional law librarians are workstudy students, often first-year students who are not acquainted with the scope of legal research materials.

"I would use first-year students to reshelve books and to

file," says Ciesielski, "if I had enough second- and third-year students to staff the front desk. Although my first choice is to do away with workstudy students and replace them with professional law librarians."

Currently, the law library is staffed by six full-time professional law librarians, six and a half non-professionals and about 21 workstudy qualified students.

"Marguerite Most, the Assistant Librarian is also the Reference Librarian and she is available during the day, as is every other librarian, if you can find one," says the Library Director. "But librarians have other things to do during the day. They train students on Lexis, attend faculty committee meetings, and to meet accreditation standards, one librarian is on duty one night a week from 5 p.m. to 10 p.m. Librarians also take turns

working weekends."

Ciesielski explains that the time librarians spend training students to use Lexis and working on nights and weekends takes away from the time each one has to spend with students during the day.

"I need more professional law librarians," he says. "One is needed to teach Lexis and one to answer the increased volume of student questions we have had which I think are a result of the graduate law programs and the fact that students might be doing more and better work."

Workstudy students cannot fill either gap now, he explains, because there are only about 21 workstudy students. "I need 35 to make sure everything gets done that needs to be done. We have raised their salaries in the past to make working here more attractive." Currently, work-

(continued on page 3)



Dean Sheldon Krantz

USD Announces Plans For Summer in London

USD has announced the program for its 1982 London Institute on International and Comparative Law. The five-week institute will take place July 4-August 7. The London program features an opportunity to work in London law firms in a clinical placement for credit and a thorough introduction to the legal life of London.

Both the London program and the International Business Clinic are under the direction of Professor Mike Navin. In the Clinic, students will take one three-credit course and spend the rest of the day working in the office of house counsel to a multinational corporation, a solicitor's office with an international practice, or the London branch of a U.S. law firm. While the work that each student does varies with the needs of the placement, all the work is in the international business area.

The courses to be offered have no prerequisites other than the

first year of law school. Comparative Corporations will be co-taught by Professor Robert Mundheim of the University of Pennsylvania, who was general counsel to the U.S. Treasury Department in the Carter administration, and by Edwin Heller, a partner in the firm of Fried, Frank, Harris, Shriver & Jacobson, a New York firm with London offices, who specializes in securities work.

Other three-credit courses offered are Comparative Labor Law, taught by Professor Robert Lubic of American University, an experienced labor arbitrator who has been mentioned as a possible member of the International Claims Commission to decide on U.S.-Iranian claims; International Business Transactions, taught by Professor Howard Taubenfeld of S.M.U., who has written extensively in the area following his private practice in San Francisco; and Liability

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Students Voice Discontent About Legal Writing; Prof. Sees Change

By Beth Kowalk-Baier

Ripples of dissatisfaction spread through the first year law class last week as the open memorandum due date neared.

Procrastinators crammed into the law library or huddled over their typewriters the last few days before the Thanksgiving holiday, mumbling about the worthlessness of the legal research and writing course.

Some complaints probably could be attributed to sleepless nights or late semester pressures. But others appear more deeply rooted, possibly having been sown as early as the orientation program last August.

Discontented students who found a course coordinator with a sympathetic ear, voiced grievances ranging from the grading system to the workload for the one-credit course.

Research and writing program administrators admit the course is not perfect... yet. Compared to several years ago, though, the program has greatly improved, and is slated to get even better, administrators say.

Faculty members already are reviewing proposed changes for next fall.

"The program is not stagnant. Every year we try to make changes," said Dierdre Alfred, Assistant Director of Placement. Alfred and law librarian Marguerite Most have been program coordinators for the past 1½ years under the direction of Professor Grant Morris.

Alfred has handled most of the student complaints about the program and she said they have not gone unheeded.

Many students are disappointed with the grading system,

Alfred said, which was designed specifically to affect only students who do poorly. To achieve that effect, 54 points are attached to a failing grade and 67 points to a low pass. Those points

(continued on page 4)

The Woolsack

University of San Diego School of Law

From the Readers

Missing Pages Create Angst

Dear Editor,

I don't really know how to begin to describe the horrible feeling I have. I'm a first-year law student learning what the concepts of justice, equity, and fairness stand for. In class I've been learning what they are and outside class I've been learning what they are not.

It's very disheartening to realize the amount of competitiveness, backstabbing, deceitfulness and flat out lying that goes on in law school. We're here to learn justice yet we're surrounded by, and sometimes sitting right next to, the most unjust people around.

When I first came to USD a minor pet peeve of mine was that numerous books are left unshelved. I couldn't believe people could be so inconsiderate of others. I now realize I'm far too idealistic about people, especially my fellow students. Not only are some people inconsiderate, but many are out and out cruel.

I've gone to law review volumes and found the exact pages I needed have been torn out. Tell me it's because my fellow student is poor and lacked the five measly nickels. I'd much rather hear that than the truth because the truth hurts. It's a horrible feeling to realize your fellow students are so competitive, so cutthroat, that they would destroy USD's property to make their fellow students suffer. The most sickening thing to realize is that they not only hurt many others but they probably find joy and pleasure in it. I find that disgusting.

Not only have pages been missing but books have been hidden, really hidden. I mean all three volumes of Ca. Rptr. No. 81 were found on the first floor behind the Kalamazoo Law Review, upside down, no less. Come on! People have flaunted the finding of a case on point, yet guarded the name of that case with as much venom as a rattlesnake...

The rattlesnakes may enjoy behaving like barbaric children. And they may believe that because of their actions they'll make law review and others will flunk out. They probably believe that if they're tricky enough, sneaky enough, and crude enough, they'll get a better clerking job than anyone else. They may believe that if they hide enough books and rip out enough pages they'll get the better paying job when they graduate.

Well, this may be all true... I hope 20 years from now they enjoy their high-paying jobs. They'll need them. They'll need them to pay the doctor bills for their ulcers and they'll inevitably have to buy their friends. And to top it all off, they'll probably die at age 45 from a heart attack...

A First-Year Student

Law Review

Dear Editor,

The recent furor (in this paper) over fairness in regards to choice of Moot Court members should also be extended to the San Diego Law Review membership.

The method of choosing law review members is inadequate to assure the best quality of individual to represent USD. I would prefer to see a system that encouraged first-, second- and third-year students to compete for law review strictly on writing ability. It should not be judged by students. Experienced faculty and other concerned friends of the university should control the

selection process.

I do not feel that placing the top 10 percent of first-year students onto law review contributes value to the university or the legal profession. Honorary membership should be determined on the basis of total grades over three years not just one semester's or one year's burn out. Comparing evening students with only 10 units with day students with up to 16 units is also not in the best interest of scholarship or the university.

Furthermore, I was sorry to see the imposition of Law Review board's presence at a fraternity function open to all USD students allegedly to keep the content fair to everyone. This really looked like favoritism being exercised in reverse against efforts to promote a fair competition. The question remains unsettled in my mind. Are these competitions really fair when one student can afford the best secretary to type his paper perfectly, and another has a friend on Law Review or Moot Court to read her paper for typos (and content), while the rest have to play by the rules?

Finally, I question the Law Review Board's ability to determine what the best path for USD is. I see the board as too liberal in its legal perspective, too inexperienced and/or socially immature to make meaningful decisions, and too uneducated to adequately protect my rights as a USD alumnus.

How many persons who "made it on grades" made it because their study group accommodated specific needs? And how many more members are there who had a friend to help with the typos? More rigid monitoring of competitors is probably not possible but it's still required. I want a representative who is an individual, not a product.

With a few efforts like the one I suggest, perhaps the proposed goal of putting USD on the map can be realized. I think the potential (i.e. manpower) is available, but whether the individuals with the power to achieve this goal are courageous enough to implement the appropriate means presents another question I hope will be resolved in the university's best interests.

Cal Streid

MM Retort

Dear Editor,

It would appear that Bruce Nelson completely misunderstood the contents of my guest editorial. My aim was to point out that morality is not something that ought to be legislated. In the words of Justice Harlan (Griswold vs. Connecticut, 381 U.S. 479), "The secular state is not an examiner of consciences." Harlan was distressed by the fact that in *Griswold* the state tried to "assert the right to enforce its moral judgment by intruding on the most intimate details..." This is precisely what the so-called "Moral Majority" would like to do: intrude on such intimate details as personal morality and legislate that only their particular brand of morality is acceptable.

Nelson implies that I find some problem with the idea of raising money for lobbying. It is not the idea, but rather the method, that bothers me. Religion has always held a superior ability to persuade the less discerning among us to do whatever the preacher urges without question because these individuals want to avoid roasting in

Hell for eternity. It is precisely this preying upon the uneducated in the guise of holiness that is the basis of my complaint. Religion and politics should be separate, and when the church begins to intrude upon the workings of the State we have a double standard: under the freedom of religion clause, the State cannot interfere in matters of religion, yet religion would be permitted to interfere in State matters.

My remark on criticism of the abortion cases was severely misconstrued. I did not say that "comment" was not to be allowed, but rather that "derision" of the right to an abortion should not come from those who will never know the fear of unwanted pregnancy. For men to tell women that the choice to bear children is not for them to make is as ridiculous as women telling men that growing beards and mustaches should not be permitted. It's the same idea—turning control of bodily functions over to a group of people who will never experience that function.

As for legislating morality between consenting adults, Nelson takes it much too far by extrapolating that I would condone murder. I was referring to those borderline cases, such as aberrant sexual tastes, not to something so permanently damaging and obviously wrong. Nelson mentions wife-beating; this is a good example. If the woman agrees to it, it is called sadomasochism, and is one of those forms of kinky sex that the legislature should not try to ban (if for no other reason than that it would be almost impossible to enforce).

The "Moral Majority" would attempt an "intolerable and unjustifiable invasion of privacy in the conduct of the most intimate concerns of an individual's

private life." (Harlan, *Poe vs. Ullmann*, 367 U.S. 497)

"Freedom of personal choice in matters of marriage and family life is one of the liberties protected by the Due Process clause of the Fourteenth Amendment." (Stewart, *Roe vs. Wade*, 410 U.S. 113) If my personal choice happens to be abortion, kinky sex, drugs, or whatever, the courts and the "Moral Majority" ought not intrude into it until it affects someone else. They ought not demand that I must give up my time and my body to the fetus that exists purely because my birth control did not work. Children need to be loved and wanted; often those which are aborted are spared the enduring pain of later abuse by parents who did not want them. In my view, it is better to abort a fetus swiftly than to subject a child to such long-term torture.

The "Moral Majority" should not impose limits on what I do within the privacy of my own home. If "privacy is protected from governmental intrusion"

(Douglas, *Griswold*), should it not also be protected from religious intrusion? "Wrong" should be determined by those who are affected by conduct, not by outsiders who feel that it is not right for them. Not for the "Moral Majority" the right to "attempt a line between public behavior and that which is purely consensual or solitary." (Harlan, *Griswold*)

"There are limits to the extent to which a legislatively represented majority may [dictate conduct] at the expense of the dignity and personality of the individual." (Jackson, *Skinners vs. Oklahoma*, 316 U.S. 535) The "Moral Majority" (which is not a majority at all) is attempting to overstep these limits. It is that which I object to more vehemently than anything else.

I am willing to listen to and consider the views of the "Moral Majority," but I do not wish to have their views and their stringent morality shoved down my throat.

Karen H. Meyer

By Amy Wrobel

Science Fiction Comes to Law

I don't know why people like science fiction movies. My own disenchantment with the genre began at a tender age. "The Creature from the Black Lagoon" was obviously just a guy zipped into a costume; *Godzilla* only a baby lizard yanked out of someone's backyard and plunked down in a miniature city. On the other hand, memories of an awful film about monsters who hung their victims on meat hooks in a frozen food locker can still provoke anxiety.

Nevertheless, I feel obliged to point out that a terrific horror theme has been severely neglected by generations of movie-makers. Sci-fi lawyers could be the logical successors of "Jaws" and "Star Wars." Big bucks for somebody...

Legal terminology can be ter-

rifying to the layperson. Any document from the IRS, the DMV or Montgomery Ward scares this writer, who supposedly understands law talk. The general public is undoubtedly ready for legal science fiction on the order of:

"Contingent Remaindermen from Mars": A brilliant estate planner (male) joins forces with a beautiful trial lawyer (female) to combat a terrible threat to intergalactic order. Or, if Jane Fonda agrees to star, a brilliant estate planner (female) teams up with a beautiful trial lawyer (male) who gets second billing and no credit whatsoever.

The Martians, alarmed by a high incidence of remote vesting on their planet, are sending invisible commandos to Earth. The evil ones invade the bodies

of unborn takers the instant they become ascertained. They prow the streets savaging lives in being and stalk owners of present interest in shopping malls. Gradually all of the Earth's real and personal property is falling into Martian hands. The absentee ownership problems are staggering, not to mention the balance of payments deficit.

The estate planner stumbles onto the Martian schemes by cleverly piecing together a series of mysterious clues. Using brilliant analytical skills acquired in law school, she realizes that none of her new clients like Burger King, speak English with an imperceptible accent and are green. This information leads her to conclude that she has a perpetuities problem. Her fran-

(continued on page 4)

USD The Moolack

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'Bye, 'Bye Ms. American Pie

By J.L. Hall

Under the steely morning sky she jerked her car into a space behind the library. Her cold clammy hands crossed over the top of the wheel as she bent her head forward, wedging it down between her arms. Staring a blank bottomless stare at a panted sexles lap her thoughts and emotions speed through an inner maelstrom.

Slowly, through all she knew and felt, through all she had memorized, the belief that she wasn't ready swept into her consciousness like an icy storm wave. Liquid fear. Within two heart beats she drew a quick but deep breath, raised her head, looked at her relentless watch, and died a little. Almost as quickly as it had engulfed her, the wave subsided leaving only tiny sparkling pools, soaking in.

Taking the key out of the ignition she met herself closeup in the rear-view mirror. After four finals, her bloodshot eyes were dull and glazed. Fatigue, anxiety,

and various amphetamines had left dark, lined patches under plain, unmade lashes. Once taunt tanned skin had faded completely to a paste white, retaining fluid and unpurged oils. Sometime ago, maybe just a couple of weeks, the pride she once had in her physique had broken down entirely. This profound apathy would only be shocking in retrospect; gradually the steady grind of the semester had instilled an intuitive knowledge that a law student's ego survives on potential not kinetic energy. Looking in the mirror all she really noticed was that she looked as exhausted as she felt and that she needed to blink hard twice to clear her blurred vision.

Clutching three black pens she got out and slammed the door. The cool Pacific breeze intermittently carried the voices of the clustered students waiting by the glass side doors. Late arriving drivers, no longer ordinary or reasonable, aggressively sought parking. Making a move

for the sidewalk she couldn't help thinking of home and vacation in just a few hours, the thought of that purgatory was pure rapture. For weeks the memory of home had been blocked out whenever it tended to surface. A warm blanket on a cold night, thoughts of old boyfriends and family rolled over her. She might have smiled.

Reaching the glass doors behind the last students filing in, her blue-collared father appeared as he had looked not long before she had left in August. The memory was sketchy but she realized that he was strangely morose that night. In a late-night raspy baritone voice he had made a request between whiskey and Marlboros. The oddity of it made it stick, though at the time she attributed it to alcoholized sentimentality. He had asked her to stand back and look at herself and try very hard to find out who she was at that moment. Remember your deepest beliefs and ideals, something like that anyway.

Taking an exam she sat down on an empty end seat and waited for the inevitable instructions. After giving his detailed instructions and wishing the students a happy holiday, the professor allowed the students to turn over their exams and begin. Immediately the students hunched forward and read. Problem analysis began as issues were spotted, relevant rules and exceptions were recalled and applied. Remembering those answers and logic not criticized in class, the students bent their minds through the maze of problems using analysis techniques exemplified in the professor's lecture. Their minds ran like molten steel into a mold... □

'Body Heat' Explores Limits of Greed, Lust

By Frank Zotter, Jr.

Body Heat is the first film directed by screenwriter Lawrence Kasdan, who previously worked on such movies as *Raiders of the Lost Ark*, *The Empire Strikes Back* and *Continental Divide*. *Body Heat*, also written by Kasdan, is an engrossing, almost bewitching descent in to the murky lagoon of passion, exploring the limits to which a human being can be driven by greed and lust. Beneath the film's steamy, sensual surface, however, is a layer of calculation so icy that it almost belies the film's title.

The title in fact refers to the female protagonist, Matty Walker (Kathleen Turner), a sleek mysterious woman who glides into the life of small-time Florida attorney Ned Racine (William Hurt). Her body temperature is "a few degrees above normal, a hundred or so," and that fact becomes a metaphor for much of what is to follow their meeting. When she and Racine do fall into a tempestuous affair, it is but a short time before their mutual passions produce a string of shocking events.

Writer-director Kasdan meticulously sculpts the film's fluid, constantly shifting surface. There is an ease about this picture which evokes the languid, liquid heat of its Florida setting, and the slickness which the heat engenders—as slick as, oh, Racine's slicked-back hair. It is this same ease with which Racine conducts himself when he stalks Matty Walker, although the movie falters slightly at that point. They act too friendly to be strangers, yet too distantly to be the lusty creatures which Kasdan wants us to believe they are.

The film's carefully glossed texture covers this small imperfection, however. It is soon forgotten amidst the onrush of other sensations: the grubbiness of their sex, the jagged, almost frightening tinkling of Matty's wind chimes, the hard, dry, polished thoughts of Racine as he plots how they, and her husband's money, can abscond safely from the lives they are leading.

Body Heat is filmed in iridescent color, but its roots are firmly in the gritty, black-and-white film noir genre of the late 1940s. Much of its action takes place at night, in starkly lit scenes that contrast with the darkness hovering a few feet in the background. The scenes filmed in the

daytime also reinforce this, with a glaring, gauzy light that surrounds the edges of the screen. It is as though these characters live most naturally in the dark, and must squint against the brightness of the day.

Kasdan is also meticulous in incorporating many small details that enhance the film's credibility and enrich its all-important mood. There is, for example, the felt hat which Walker gives to Racine, something more a relic of the 1940s than clothing that Racine can wear. Or there is the portfolio of family pictures with a policeman-friend of Racine's displayed on his desk. These, and numerous other small touches, make the supporting players seem full-blooded and real; there are no "type" characters in this picture except, oddly, the two protagonists themselves. The screenplay cuts and molds those predictable characteristics, however, until the people inside are able to emerge, distinctive and human.

Most important, though, are those things intrinsic to filmmaking. Kasdan, for example, is heavy-handed in his foreshadowing, which, in a film that concentrates so heavily upon the night, almost becomes a pun. The opening sequence, for example, aside from providing a tiny insight into Racine's character, would be pointless except that it is virtually a metaphor, a microcosm of the things that the movie will focus upon: in a few sentences, Racine and his companion for the evening manage to touch (though just to touch) upon the past, and lust, greed, and crime, the law, and the heat, and the night itself. It is a smooth scene, and one slickly crafted, something that, in itself—well, that point has already been made. What is surprising, though, is how well Kasdan manages to make the point.

Body Heat is not profound art, but it is highly artistic, an elegant blend of sound, spectacle and mood, accentuated by performers who fill their roles as though born into them. The film does provide a penetrating insight into the shadowy side of human nature, as crisply as anything written by Edgar Allan Poe. Yet it also punctuates the darkness with sparks of wit and the reflected glow of sudden plot twists, and it provides relief to its own oppressive heat. The film's climax is something that can be described as nothing less than chilling. □

Briefly Speaking

Law Library Closing

Kratner Law Library will be closed from Dec. 19 to Jan. 6 for recarpeting. Books students check out after Dec. 10 will be due Thursday, Jan. 7, when the school opens for fall semester. □

International Wine & Cheese

The Center for Public Interest Law is inviting all second year students to a wine and cheese party on Dec. 4, from 3-7 p.m. in the faculty lounge. The purpose of this party is to orient second year students to the Center's program in California Administrative Law. There will be complimentary copies of the just released California Regulatory Law Reporter, Volume I, Number 3 available for those that attend.

The Center is near the end of its first year and will release its fourth issue of the Report in January. There are many spaces available for those second year students that take California Administrative Law and Practice in the Spring. In this program a student has the opportunity to travel to agency meetings, write for the Reporter (a publication that reaches every judge, state legislator, and state agency in California), and gain expertise in California Administrative Law. Other classes that fall within the program include Consumer Law (spring), Administrative Law (fall), and Regulated Industries (fall). □

Library Staff Lacks Experience ...

study students are paid \$3.85 an hour, he says. "We pay \$4.50 an hour to those that have worked here to two and a half years."

Ciesielski says that librarians also spend "a lot of time" training new staff. The library has a high turnover rate, which the Director attributes to low salaries.

"Only one professional person on staff plus myself has been here more than five years. Among non-professional staff, only one person has been here longer than three years. Work-study students turn over every semester."

"We lose the non-professional staff to other libraries and the professional staff to other law libraries, like the County Law Library and Cal Western's, that pay better. The starting salaries at USD are below starting salaries in California and that is the cause of the problem. We start professional law librarians here at \$13,000 a year. The UC's (University of California libraries) start them at over \$16,000."

Ciesielski says he asks the dean to ask the University board members for salary increases yearly. "Generally, they are comparable to those the faculty gets. But when salaries are low to start with, a percentage increase doesn't mean much."

Low salaries which result in a high staff turnover that takes librarians' working time away from students while they interview and train new staff is only part of Ciesielski's funding problem.

The law library operates on approximately \$590,000 annually. "About half of the entire budget—\$295,000—goes for salaries. The other half goes toward books and materials," he says. "About \$209,000 goes toward keeping the materials we have up-to-date. For six or seven years, we have had \$52,000 for new books, that is any material the law library doesn't have presently and isn't a continuation or subscription. The \$52,000 looks good for the library to the accrediting associations, but whether or not the money goes for new books is another question."

Ciesielski explains that when the fund for maintaining current materials is depleted, the library must "borrow money from the fund for new books. Last year, only about \$37,000 actually was spent on new books."

Ciesielski estimates that he needs a 16 percent increase in continuation funds alone to meet the library's acquisition needs.

Ciesielski also says that the library loses funds for acquiring books and materials because \$3,000-4,000 worth of materials are stolen each year.

According to one library employee, 12 of the 15 copies of the Harvard Blue Book on citation rules that belong to the library have been stolen in the past two weeks.

Ciesielski explains that "campus security is understaffed. The turnstile is supposed to be an excuse for a security device."

"We need a security system

Good Luck On Finals

(continued from page 1)

that costs about \$12,000. It should pay for itself in about three to four years. But for some reason, the University budget committee doesn't look at the situation this way."

Rather, Ciesielski says, the University proposes as a remedy to the library's problems an increase in funds to students who are not workstudy qualified which will allow them to work in the library and to receive some financial aid from the school.

Progress, Ciesielski points out, is going to be slow.

"But during semester break we are having the carpeting on the first and second floors replaced. We hope to have the library painted by August and get some new chairs. We may even get the drapes cleaned and the windows washed. We're hoping to refinish some of the bookcases and to replace some of the tables. When you try to attract people to give money to a place that looks bad, you don't accomplish your purpose. People don't want their names on a place that looks tacky."

Although progress looks slow, Ciesielski says he has been at USD too long to abandon the library.

"When I got here in 1969, the library was on the third floor of More Hall. We had no place to go. Now, we have room left for about 9,000-10,000 volumes, which we could fill up in a year. We are making an effort to replace things that get little use with microfilm, but that only postpones the inevitable." □

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Softball Finals DC's Trounce DES, 13-5

By Bob Oakland

A season of surprises ended in predictability a week ago Friday when the Diminished Capacities successfully defended their crown against Cinderella co-finalists D.E.S., 13-5.

DC's got to the finals by eliminating the Throbbing Members 10-4. Without the benefit of a scorecard, I recall taters by Tiny D'Angelo and Honk Wirta for DC's, and B.V.D. for TM's. What started out as a close contest (4-3 DC's after six), was blown open in the seventh by the now well-known DC "floodgate syndrome." You can't stop those boys for long. Great effort, though by TM's who still haven't beaten DC's yet.

The other semi-final bout matched Kelly's (we won a coin toss to get here). Treefrogs against two forfeit wins D.E.S. Both teams played underdogs in the first round, but rose to the occasion. This time in a see-saw battle, D.E.S. piled up 12 runs in the last two innings and shocked the crowd with a convincing 21-12 victory. John (Woodward and Bernstein) Hall and Doug both got three hits, and Russ knocked

in four runs for D.E.S. Hymie and Coop were both 3 for 4 for the Treefrogs in their losing cause. Note to the Czar regarding KT's relevance in the playoff picture: "He who laughs last, laughs best!"

In the finals though, D.E.S.' dream come true was shattered by the (you guessed it) DC "floodgate syndrome." Trailing 5-4 after five innings, Hank Wirta & Co. exploded for six runs with a lot of help from the what was otherwise decent D.E.S. fielding—sorry Sergio. Three more runs in the seventh and D.E.S. had turned into belated pumpkins.

With three straight softball titles, the question now is: "can anyone beat DC's?" There has been much talk but no action, guys. So, until next semester, this is the poison pen signing out. ... to see if I can pass a final or two.

Playoff MVP—Goes to Hank (new cleats) Wirta, who according to Tiny was 12 for 15 in the playoffs, not to mention his standout fielding performance. Ah, but alas Hank, who're representing the Pac 10 in the Rose Bowl?!!

Go dawgs!!!!

By Karen H. Meyer

Former Ambassador Arvid Pardo visited USD on Nov. 25. Despite the scheduling of his lecture (6 p.m. the night before Thanksgiving), more than 30 students were on hand to hear the expert on the law of the sea.

The United Nations Conference on the Law of the Sea (UNCLOS) has dragged on through eight years of negotiations and three revisions of the Informal Composite Negotiating Text (ICNT). The third revision was completed in 1980, and UNCLOS negotiations appear to be nearing an end.

Even though the agreement has been neither signed nor ratified, by the United States or the Committee, many portions of the lengthy document are already being used, and are therefore becoming part of customary international law.

The convention will change the traditional law of the sea in several ways, including expanding coastal state jurisdiction over the maritime environment, regulating the area beyond national control, and providing for settlement of disputes.

The consequences of the treaty will be to provide a better position for those with long coastlines and mid-ocean islands. The landlocked nations are the losers; current inequalities will only be aggravated by this agreement, causing danger to international peace.

Pardo foresees an expansion of national jurisdiction until all the ocean is claimed in the drive to appropriate as many ocean resources as possible. Although the convention provides for an international authority, Pardo pointed out that the authority does not even have the power to remind a coastal state that it has failed to inform the authority of the extent of its claims.

Pardo also discounted the decision making procedures of the council as making it "almost impossible to be efficient." The council is modeled on the United Nations, which "does not make sense in regard of the functions of the international seabed authority." It is primarily an economic organization, to explore and develop economic resources for the entire community of nations.

The pact gives the United

States everything we ever claimed. It is in our short-term interest to ratify it, although it could have significant international political ramifications in the future with regard to stability and equity.

Under the current timetable, the draft committee is expected to finish their mammoth task by March of next year. If they succeed, the Law of the Sea treaty will be signed next autumn.

Football's Best

By Lou Kerig

All-League 1981

Offense

C Bart Bartol, *Malpractice*
RG John DeLong, *Cal West*
LG Carlos Molina, *Alumni Conn.*
TE Pete Deddeh, *Malpractice*
SE Dan Ford, *Malpractice*
QB Scott Smylie, *Codes*
RB Mitch Reichman, *Malpractice*
FLK Don Fears, *Codes*

Defense

NG Lee Parish, *Clean Hands*
RE Pat McGhee, *Clean Hands*
LE Pete Deddeh, *Malpractice*
OLB Al Barbenal, *Malpractice*
MLB Guy Borges, *Codes*
RLB George Markulis, *Cal West*
DB Jerry Costello, *Cal West*
DB Kevin Cleary, *Spec. Res.*
MVP Pete Deddeh, *Malpractice*
Rookie of Year
Steve McAvoy, *Spec. Res.*

Legal Writing (continued from page 1)

are averaged in with a student's other grades. No points are given for pass or honors grades.

Alfred said she understands the frustration of students who work hard only to receive a passing grade with no numerical equivalent, but added no change in the grading system is likely.

"A passing grade could pull down a student's average," she explained, "and that would not be fair."

Incorporated in the proposed changes for next year, however, is a solution to the oft-repeated gripe about the heavy one-credit workload.

If approved by the faculty, the course next year would carry one credit in the fall and two credits in the spring. The extra spring credit would allow additional research instruction with the Moot Court class, Alfred said.

"Right now we're teaching the bare bones," Alfred said. "With an extra credit in the spring, we could add advanced research, additional writing, professional responsibility or instruction on the Lexis computer."

Another proposed change, although still in a preliminary stage, would extend the legal writing instructors' positions to a full year. The four instructors now are hired for one semester. The instructors would work with

Moot Court board members, who currently teach the Moot Court class, Alfred said.

Professor Morris predicts the longer employment would attract a wider pool of applicants. The job did not attract as many applicants as expected this year, he said, probably because of the four-month position and the limited salary. The university allotted \$24,000 this year for the four full-time instructors.

Morris said the positions were designed to attract out-of-state law school graduates planning to take the California bar and looking for a short-term position while waiting for their results. The instructors this year were graduates from the University of Cincinnati, John Marshall Law School in Chicago, University of California-Davis and USD.

Each applicant was interviewed by telephone or in person by Alfred, who said she looks for high academic standing, law review or Moot Court experience, writing skills and an ability to work well with students.

Despite Alfred's efforts to avoid personality clashes, tension arose this semester between writing instructors and individual students. When personality problems arise, Alfred said, she can only suggest the two individuals sit down and talk.

Similarly tensions can arise between writing instructors and

supervising professors, Morris said, which can lead to status problems within the program.

"Different professors do different things," Morris said. "Some give all responsibility to the instructor while others see the instructors only as assistants."

The program also lacks prestige, Morris said, noting that the four instructors are crammed into one small room.

Problems of prestige and status, along with first-year students' high expectations, may have contributed to the poor image some students hold of the legal research and writing program, Morris said. But change is on the horizon, he said.

"Even with the problems, I think the program is head and feet above where it was a few years ago," he said.

Over the last few years, the research program has evolved from a fill-in-the-blank approach to fact analysis, according to Alfred. A typical research problem would direct students to a particular book and ask for the first sentence on the first page, Alfred said.

Since then, program administrators have been striving for improved quality research problems and greater coordination between the research and writing assignments, Most said.

Two major changes were made this year to achieve those goals, Most said. One change allowed the writing instructors to lecture on both writing and research techniques. Previously, the research specialists handled the research end of the program, including lectures and problems. This year, the research spe-

cialists only developed and graded the problems.

The second change opened up the 12 research positions to the entire student body. The positions were exclusively available to Moot Court board members in past years.

"By opening up the positions we were able to get the most qualified students," Most said. "The Moot Court board did a good job, but the positions are time consuming and do not pay well."

Each research specialist is paid \$200 for the semester, according to Alfred.

Although a weakness traditionally overlooked, the legal research and writing course is evolving into a fine program, Morris said.

"The course is the most important one-credit class students will have in the first year, if not in the entire three years," he said. "Students will use their writing skills throughout their entire careers."

Sci-Fi Attorneys

(continued from page 2)

tic warnings are ignored by Ed Meese, Merv Griffin and Carl Sagan, so she finally enlists the aid of the trial lawyer. He doesn't believe her either, but thinks she's cute.

(This film is, after all, geared to the mass audience, weaned on conventional film conventions.) You can imagine the rest. Once the Martians are wiped out, the two attorneys are of course besieged with offers from really top-notch law firms; no one asks them awkward questions about class standing.

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